

Motion proposed by the Rules & Ordinance Committee: to amend Town Ordinances by adding under Title 9 a new section 9.20 that states the following.

Prohibited Activity

§ 1 No person shall smoke, ingest or otherwise use or consume marijuana or tetrahydrocannabinol (as defined in G.L. c.94C Section 1, as amended) while in or upon any street, sidewalk, public way, footway, passageway, stairs, bridge, park, playground, beach recreation area, boat landing, public building, schoolhouse, school grounds, cemetery, parking lot or any area owned by or under the control of the Town; or in or upon any bus or other passenger conveyance operated by a common carrier; or in any place accessible to the public.

Identification Required

§ 2 Any person smoking, ingesting or otherwise using or consuming marijuana or tetrahydrocannabinol in violation of Section 1 of this bylaw shall provide to a police officer so requesting personal identifying information, including their full legal name, and address. Failure to provide such identifying information upon request, or provision of false, incorrect or otherwise invalid identifying information, shall be considered a separate violation of this bylaw.

Violations and Penalties

§ 3 This bylaw may be enforced through any lawful means in law or in equity including, but not limited to, enforcement by criminal indictment or complaint pursuant to G.L. c. 40, Section 21 or by noncriminal disposition pursuant to G.L. c.40, Section 21D by the Winthrop Police Department.

The fine for this violation of this bylaw shall be \$100 for the first offense, \$200 for the second offense, and \$300 for a third or subsequent offense. Any penalty imposed under this bylaw shall be in addition to any civil penalty imposed under G.L. c. 94C, Section 32L.

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TOWN CLERK
Winthrop, MA